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FM AMEMBASSY KUALA LUMPUR
TO RUEHC/SECSTATE WASHDC PRIORITY 2696
INFO RUCNASE/ASEAN MEMBER COLLECTIVE PRIORITY
RUEHLO/AMEMBASSY LONDON PRIORITY 0615
RHEHNSC/NSC WASHDC PRIORITY
RHHMUNA/CDR USPACOM HONOLULU HI PRIORITY
RUEKJCS/SECDEF WASHDC PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 KUALA LUMPUR 000352

SIPDIS

FOR EAP/MTS AND DRL

E.O. 12958: DECL: 05/11/2019

TAGS: [PHUM](#) [PGOV](#) [PINS](#) [PINR](#) [PTER](#) [KJUS](#) [MY](#)

SUBJECT: REMAINING HINDRAF LEADERS AMONG 13 RELEASED FROM
ISA

REF: A. KL 342 - PANDEMONIUM IN STATE ASSEMBLY

[1](#)B. KL 337 - ARRESTS PRECEDE MAY 7 PERAK ASSEMBLY

[1](#)C. KL 187 - HINDRAF LEADERS REMAIN IN DETENTION

[1](#)D. 08 KL 1119 -- SUMMARY OF DETENTIONS UNDER ISA

[1](#)E. 07 KL 1710 - HINDRAF LEADERS DETAINED UNDER ISA

Classified By: Political Counselor Mark D. Clark for reasons 1.4 (b and
d).

Summary and Comment

[1](#)1. (SBU) The Malaysian Government announced on May 8 the decision to release 13 detainees held without trial under the Internal Security Act (ISA), including the remaining three leaders of the Hindu Action Front (HINDRAF) held since December 2007 and ten persons detained as suspected members or supporters of regional terrorist groups. Authorities released the HINDRAF leaders on May 9, but imposed strict conditions on their activities, which two of the three have rejected. One HINDRAF leader, Uthayakumar, immediately stated he would continue HINDRAF's struggle with a public prayer gathering on May 16, while HINDRAF chairman Waythamoorthy announced he would return from self-exile in London.

[1](#)2. (C) Comment: The government's release of the HINDRAF leaders, like their original arrest in 2007 under former Prime Minister Abdullah, appears grounded in political considerations rather than security. The announcement seemed timed to counterbalance a day of bad press for Najib's administration generated by political turmoil and police intervention in the Perak state assembly on May 7 (ref A). In this context, the government actions serve to illustrate how the Najib Administration at this still early stage seeks to adjust and manage its internal political profile, including through compromises like the HINDRAF releases. The renewed defiance of several HINDRAF leaders could quickly provide another test of the authorities' willingness to tolerate aggressive advocacy of minority rights. We will comment in separate channels on the release of the terrorism-related detainees. End Summary and Comment.

GOM Releases ISA Detainees, Including HINDRAF Leaders

[1](#)3. (SBU) Following an announcement on May 8, the Malaysian Government released 13 Internal Security Act (ISA) detainees on May 9, including the remaining three leaders of the Indian rights coalition HINDRAF, namely P. Uthayakumar, M. Manoharan and K. Vasantha Kumar all detained without trial since December 2007. The U.S. 2008 Human Rights Report listed the HINDRAF detainees under the political prisoners section.

14. (SBU) The other ten detainees released included six suspected members of the militant group Darul Islam: Ahamad Ghafar Sharil (Indonesian); Husin bin Alih, Abdul Jamal bin Azahari, and Jeknal Adil (all three Filipinos); and Yusoff bin Mohd Salam and Adzmi Pendalun. The remaining four persons released were suspected members or supporters of the regional terrorist group Jemaah Islamiyah: Zainun Rasyhid (Indonesian detained in December 2002); Sufian bin Salih and Hasim bin Talib (both Filipinos detained in 2004): and Zulkifli bin Marzuki (detained in 2007).

15. (SBU) The May 9 releases constituted the second group of ISA detainees released since Najib took over as Prime Minister on April 3. We believe Malaysia still holds approximately 17 individuals under ISA, a substantial reduction from the 90 or so held under ISA several years ago.

GOM Imposes Conditions on HINDRAF Leaders

16. (SBU) The Home Ministry imposed highly restrictive conditions on the three HINDRAF leaders as part of their release, as it did on the previous two HINDRAF leaders released in April. Two of the three HINDRAF leaders, Manoharan and Vasantha Kumar, counter-signed the release order based on the conditions imposed by the police, including regularly reporting to the police, seeking permission from the police to move residences, and not speaking publicly. Uthayakumar refused to do so, maintaining that his detention was politically motivated and that he was innocent. The police insisted but could not force

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Uthayakumar to sign the release order.

17. (SBU) Subsequently, Manoharan announced at a May 11 press conference that he would not comply with the restriction of his movements as imposed by the police. Manoharan also denied allegations that he was linked to the Liberation of Tamil Tiers of Eelam (LTTE), as claimed by the Inspector General of Police when he and the other HINDRAF 5 were detained under the ISA. He added that his release was a vindication of his and the other HINDRAF leader's innocence. Speaking to reporters May 9, Uthayakumar stated that he would continue his struggle to highlight the marginalization of the Indian community in Malaysia and announced a public prayer gathering at the Batu Caves Temple (a major Hindu site near Kuala Lumpur) on May 16. Uthayakumar's brother and Chairman of HINDRAF Waythamoorthy, in self-exile in London since November 2007, announced on May 11 he would return to Malaysia.

Government and Opposition Comments

18. (SBU) Prime Minister Najib on May 8 said the ISA releases were a sign that "Malaysia promotes fairness and respects the country's rule of law." He denied opposition parties' claims the releases were an attempt to divert the public's attention and anger over the pandemonium within Perak State Assembly on April 7 (ref A). Najib also denied that the government released the three HINDRAF leaders to regain the support of the Indian community. Malaysian India Congress President Samy Vellu applauded Najib's move, which he described as "an end to an episode which created dissatisfaction in the Indian community." Opposition leader Anwar Ibrahim urged the government to issue an apology to the HINDRAF leaders, while the Democratic Action Party wanted the government to remove the conditions imposed with their release immediately.

KEITH